

USSN: 09/844,508  
Atty. Dkt. No.: 8325-0014  
Client Dkt. No.: S14-US1

### REMARKS

#### **STATUS OF THE CLAIMS**

Claims 1-72 were pending. Independent claims 1 and 43 have been amended to indicate that the methods are performed in an isolated cell, as described throughout the specification, for example, on page 43, lines 10 and 23. Inasmuch as the amendments after final were not entered, claim 43 was pending as shown in the paper filed May 25, 2004. Linking claim 1 was indicated to be allowable. Accordingly, withdrawn claims 7, 9, and 14-16 are rejoined. Claims 34-42, 71 and 72 have been canceled, without prejudice or disclaimer. Thus, claims 1-33 and 43-70 are pending as shown above.

#### **INTERVIEW SUMMARY**

Applicants thank Examiners Akhavan and Guzo for communicating (in a telephone conference held May 20, 2005), the findings made during the PTO's Appeal Conference. Participants in the May 20, 2005 telephone conference were Examiners Akhavan and Guzo, the undersigned and Dr. Sean Brennan of Sangamo BioSciences, Inc. During the telephone conference, Examiner Akhavan indicated that the new matter rejection would be withdrawn. In addition, the Office confirmed that the obviousness-type double patenting rejection would be withdrawn in the present case and addressed in the reference case.

#### **NEW MATTER**

As noted above, Examiner Akhavan indicated that Appeal Conference had resulted in the decision to withdraw the new matter rejection.

#### **35 U.S.C. § 112, 1<sup>ST</sup> PARAGRAPH, ENABLEMENT**

As a result of the telephone conference, amendment of the claims as shown above obviates the previous enablement rejection. In particular, it is now specified that the claimed methods are practiced in isolated cells.

#### **OBVIOUSNESS-TYPE DOUBLE PATENTING**

Claims 1-6, 8, 10-13, 17-33 and 43-70 were provisionally rejected under the judicially created doctrine of obviousness type double patenting over claims 1-33 and 44-71 of co-pending Application No. 10/084,826.

Since the pending application is the parent of USSN 10/084,826, Applicants acknowledge with appreciation that the Office has agreed to that the double patenting rejection will be addressed in USSN 10/084,826 (*see, also*, M.P.E.P. § 804.I.B).

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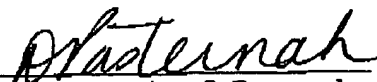
**CONCLUSION**

Applicants gratefully acknowledge that the claims are in condition for allowance. If the Examiner notes any further matters which the Examiner believes may be expedited by another telephone interview, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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